

# SECURITY COOPERATION ORGANIZATIONS OVERSEAS

## INTRODUCTION

As indicated in chapter 3 of this textbook, “US Government Organizations,” the security cooperation organization (SCO) is only one of numerous organizations within the United States government (USG) and the Department of Defense (DOD) which contribute to the security cooperation (SC) and security assistance (SA) mission. However, the role of the SCO is unique in that it acts as the primary interface with the host nation on all SA issues. Equally important, the SCO is generally the lead agency within each Geographical Combatant Command (GCC) for the execution of most of DOD’s SC programs in the country assigned. The SCO operates under the direction and authority of the Senior Defense Official/Defense Attaché (SDO/DATT), whose duties are discussed below.

DOD formally adopted the term “security cooperation organization” (SCO) with the publication of a series of new directives and instructions in 2008 and 2009, found in the references to this chapter. It replaces the now outdated term “security assistance office” (SAO).

## DEFINITION AND PURPOSE OF THE SECURITY COOPERATION ORGANIZATION

The generic term SCO encompasses all DOD organizations, regardless of actual title or size, located in foreign countries to carry out SC and SA management functions under the Foreign Assistance Act (FAA), the Arms Export Control Act (AECA), and other authorities. In many countries, the primary program is Foreign Military Sales (FMS), whether funded by the host nation and/or by US-appropriated Foreign Military Financing (FMF). Other SA programs (executed by DOD) available to many countries are the International Military Education and Training (IMET) program and excess defense articles (EDA).

Throughout this textbook, the term “SCO” refers not only to the organization, but to each of its assigned personnel (i.e., security cooperation officers), whether or not they are actual military officers. Although SCO is used as a generic name, each specific SCO has its own formal title or designation. Table 4-1 contains a list of the current SCO designations around the world. In some cases, these organizational titles were established through joint diplomatic agreement between the USG and the host nation. Regardless of the title or size of the organization, all are SCOs, and the individual names are not necessarily reflective of anything more than local political sensitivities. Where no SCO is assigned in country, the SC/SA functions are normally handled by the Defense Attaché Office (DAO), either as an additional duty or with augmented personnel. In a small number of embassies (primarily in developing countries) where there is no defense attaché representation, the SC/SA program is managed by locally employed staff (LE Staff) through the Department of State (DOS).

**Table 4-1**  
**United States Security Cooperation Organizations**

<b>Acronym</b>	<b>Local Title</b>
JUSMAG	Joint US. Military Assistance Group (Philippines)
JUSMAG	Joint US Military Advisory Group (Thailand)
JUSMAG-K	Joint US Military Affairs Group – Korea
KUSLO	Kenya US Liaison Office
MAP	Military Assistance Program (Jordan)
MDAO	Mutual Defense Assistance Office (Japan)
NLO	Navy Liaison Office (Bahamas)
ODC	Office of Defense Cooperation (approximately 50 European, East Asian countries, and others)
ODC	Office of Defense Coordination (Mexico)
ODR	Office of Defense Representative (Costa Rica)
ODRP	Office of Defense Representative – Pakistan
OMC	Office of Military Cooperation (Kuwait, Bahrain, Egypt, Kazakhstan, Kyrgyzstan, Oman, Qatar, Turkmenistan, Uzbekistan, Yemen)
OSC	Office of Security Cooperation (all African countries except Kenya; Iraq)
SAO-A*	Security Assistance Office – Afghanistan; this office is a staff element within the NATO Training Mission – Afghanistan/Combined Security Transition Command – Afghanistan (NTM-A/CSTC-A)
USLO	US Liaison Office
USMAAG	US Military Assistance Advisory Group (Dominican Republic, Peru)
USMILGP	US Military Group (several South and Central American countries)
USMLO	US Military Liaison Office (several South and Central American countries)
USMTM**	US Military Training Mission (Saudi Arabia)
	<p>*The organization in Afghanistan, under the control of United States Forces– Afghanistan (USFOR-A) does not report directly to the US Ambassador to Afghanistan. Additionally, NTM-A/ CSTC-A's mission includes training and equipping the host nation interior forces (e.g. border police, national police, local police, etc.) which, while permitted by the Arms Export Control Act, is severely constrained under normal circumstances.</p> <p>**Within Saudi Arabia, in addition to USMTM, there are other DOD organizations which have an “advise, train and equip” mission. Because they do not work with the Ministry of Defense and Aviation, and because their charters allow them to conduct training, they are not formally considered SCOs. They are:</p>
OPM-SANG	Office of the Program Manager, Saudi Arabian National Guard (This organization is chartered by the US Army, reports to US Army channels through USASAC, and is funded by an FMS case. OPM SANG's mission is to train and equip the Saudi Arabian National Guard).
OMP-FSF	Office of Program Management, Facilities Security Force (OPM-FSF, also funded by a FMS case, conducts a train and equip mission for the Facilities Security Force of the Saudi Arabian Ministry of the Interior).

## SECURITY ASSISTANCE AND SECURITY COOPERATION

The definitions of SC and SA, as per Joint Pub 1-02, are in the glossary of this textbook and specific programs within each are discussed in chapter 1 of this text, “Introduction to Security Cooperation.” The major SA programs were created by the FAA, the AECA, and other legislation. However, the key aspect of these programs is that their permanent legal authority stems from the *United States Code*, Title 22 (22 USC), entitled “Foreign Relations and Intercourse.” (The USC is the codification of the general and permanent laws of the US, divided into fifty titles by subject matter). As such, the primary responsibility for SA implementation within the executive branch has been delegated to the DOS. The SCO thus administers selected SA programs (e.g. FMS, IMET, etc.) officially on behalf of the Ambassador, even though the bulk of the workload is performed by DOD personnel.

Additionally, DOD considers “security cooperation” to be all DOD interactions with foreign defense establishments which promote US security interests and enhance the military capabilities of our international partners. This clearly includes the long-established SA programs at its core, as well as the many legal authorities Congress has given DOD in its own right to pursue a wide range of cooperative military programs with other countries. Many of these authorities are codified in *United States Code*, Title 10 (10 USC), entitled “Armed Forces.” DOD has also taken other initiatives for international cooperation, often through its components. Thus, SC is an umbrella term that is loosely defined and encompasses a variety of programs, including SA. In a narrower sense, “security cooperation” is sometimes used to refer to only the DOD-sponsored programs with other nations through 10 USC authorities (as distinguished from SA). The SCO administers SC programs officially under DOD guidance, but ensures that those programs are compatible with the Ambassador’s vision and goals for the host nation. Under the George W. Bush administration, “security cooperation” replaced previously used terminology such as “peacetime engagement” and “mil-to-mil programs.” The scope of SC programs is quite broad and essentially includes almost any activity by which DOD interacts with foreign defense establishments.

There is no single comprehensive list of SC programs, although many DOD organizations have drawn up their own lists for internal use. For example, US European Command (EUCOM) maintains a *Handbook of Theater Security Cooperation Resources*. Individual SC programs may be managed by a GCC, a MILDEP, the Defense Security Cooperation Agency (DSCA), or other DOD agency. Each program has its own authority in law and/or in DOD or agency policy.

The term “security cooperation” encompasses a combination of legal authorities, annual appropriations, organizations, and initiatives from within DOD resources. It should be emphasized that the list in chapter 1 of this textbook is only a sample of the current SC programs and is by no means complete. Note that some DOD programs, such as counter-narcotics, are complemented by similar DOS programs, which the SCO may help manage within any given embassy country team. Similarly, DOS receives an annual appropriation for Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR), which supports a broad range of US security interests, and which the SCO may be called upon to manage at the local level.

The SCO plays a key role in implementing many (not necessarily all) of these SC programs with the host nation. Some may be managed by the DAO, such as intelligence exchanges, and some may be managed through the host nation military attaché in Washington DC or a liaison officer to a DOD organization. In any case, the SCO is generally considered the focal point for SC and should be aware of the existence of all such programs.

## **REFERENCES FOR SECURITY COOPERATION OFFICE FUNCTIONS AND RESPONSIBILITIES**

### **Legislative Provisions**

Since the end of the Vietnam conflict, the US Congress has maintained a keen interest in the activities of USG personnel assigned overseas to perform SA functions. Section 515(a) of the FAA outlines the legal SA functions of SCOs as follows below:

- Equipment and services case management (i.e., FMS case management)
- Training management
- Program monitoring
- Evaluation and planning of the host government's military capabilities and requirements
- Administrative support
- Promoting rationalization, standardization, interoperability (RSI), and other defense cooperation measures
- Liaison functions exclusive of advisory and training assistance

### **Department of Defense Provisions**

In addition to legislative direction, DOD guidance is contained in the recently issued DODD 5132.03, *DOD Policy and Responsibilities Relating to Security Cooperation*. This document does not list specific responsibilities for the SCO, but does provide guidance to all higher entities within DOD for the policy oversight and resourcing of SC activities.

### **Defense Security Cooperation Agency Provisions**

DOD 5105.38-M, Security Assistance Management Manual (SAMM), chapter 2, table C2.T2, lists the following functions for SCOs but states that this is not an all-inclusive list.

- Provide interface for exchange of information and advice between the host nation's military establishment, the Chief of Mission (COM), and the DOD components responsible for SA programs. This includes promotion of rationalization, standardization, and interoperability (RSI) and other armaments cooperation measures in connection with SA programs.
- Provide the host country information needed to make decisions concerning SA programs. Encourage the host country to establish and depend on its procurement mission in the US
- Evaluate host military capability to employ and maintain requested equipment and assist, as required, in processing SA requests [referred to as the country team assessment on letters of request (LOR)].
- Assist the National Disclosure Policy Committee in evaluating host country security programs and negotiating security agreements.
- Facilitate the timely and efficient implementation of approved host country SA programs.
- Assist US MILDEPs and the host country in the receipt, transfer, and acceptance of SA materiel, training, and other services to include drawdown authority execution, etc.
- Monitor the progress of SA programs and transactions, initiate appropriate remedial action, or advise the appropriate DOD components of problems and issues encountered.

- Perform programming, planning, management, and implementation functions relating to FMS and IMET programs.
- Inform host country of US SA laws, policies, and procedures.
- Monitor FMS billing statements and payments and inform the host country of financial requirements.
- Engage the host military, to the extent practicable, in cooperative planning for total military acquisitions over a three to five year planning period.
- Acquire information on host country potential defense acquisitions and anticipate demands on US resources.
- Report on the use of US-origin defense articles, services, and training by the host country. These procedures vary from country to country; therefore, no standards are prescribed. The SCO should use available resources, e.g., country reporting or documentation, temporary duty personnel assigned in-country performing other duties, other elements of the US diplomatic mission, and spot checks during the normal course of SCO duties and travel. The SCO should report on an exception basis through established SA channels and maintain records on file. See SAMM, chapter 8, for more details on end use monitoring. Also, a discussion of the SCO responsibilities for equipment under the old Military Assistance Program (MAP) can be found in SAMM, chapter 11.
- Assist the host country to identify, administer, and properly dispose of excess SA materiel.
- Provide input to the COM for the mission strategic resource plan (MSRP) (formerly the mission strategic plan or mission performance plan).
- Coordinate and supervise activities of DOD personnel and elements that are in-country under DOD sponsorship excluding those under Defense Intelligence Agency (DIA) or other SA authority. See the SAMM, section C11.13, "Security Assistance Teams," for more information on these responsibilities.
- Coordinate between US defense industry representatives and the host nation defense establishment, and provide oversight, without limitation to any country or group of countries, for in-country RSI and defense industrial cooperation initiatives.
- Supervise C-12 aircraft activities where applicable.
- Perform SDO/DATT administrative functions to include budget preparation and execution and review of organizational and manning requirements.

### **Administrative and Logistical Provisions**

SCOs have administrative and logistical guidance through a tri-service regulation, *Administrative and Logistical Support of Overseas Security Assistance Organizations*, known as AR 1-75, SECNAVINST 4900.49, and AFJI 16-104. In part, this regulation provides the following guidance to SCOs:

- Submit administrative and logistical support requirements to the GCC in accordance with this regulation and guidance issued by the GCC, MILDEPs, and DSCA
- Represent all DOD activities assigned to the SCO for administrative support on the international cooperative administrative support services (ICASS) council, request required administrative support, and where required by the GCC, negotiate ICASS agreements for

non-SA DOD activities assigned to the SCO for administrative support and coordinate billing/reimbursement requirements between the DOS and DOD activities and parent commands

- Ensure that ICASS financial charges to SCOs are prepared according to Foreign Service Instructions CA-10025 and CA-10803
- Provide the MILDEPs with current information on desired or required routing for travel and training for SCO and SA teams' personnel and their dependents, as well as movement of household goods, personal baggage, and privately owned vehicles

Chapter 17 of this textbook, "Resource Management for the Security Cooperation Organization," provides details on these functions.

## **SCO SECURITY ASSISTANCE DUTIES**

Official functions and responsibilities of the SCO are delineated in the four sources referenced above. While these documents provide overall policy and administrative guidance, the SCO tends to divide up its routine SA workload according to the major functions below.

### **Foreign Military Sales Case Management**

The SCO assists the host nation military with obtaining information on military articles and services from DOD organizations, public sources, and US vendors. It may assist the host nation in documenting its requirements and articulating its requests in terms that DOD organizations can translate into an FMS case. It ensures that the concept of a total package approach (TPA) is used as appropriate. Chapter 5 of this textbook, "The Foreign Military Sales Process," presents a detailed discussion on the FMS process and TPA. The SCO serves as the intermediary between the FMS case manager and the host nation to ensure that each case is both prepared and implemented in accord with host nation desires. It facilitates any requirement to change the original FMS case by either amendment or modification. Finally, the SCO assists the host nation in planning for the receipt and integration of FMS materiel and services into its defense organization and force structure. This case management function, which is actually one of liaison and coordination, is the primary focus of most SCOs and comprises half or more of the workload in many SCOs.

Concerning transportation, the SCO normally has no involvement in the actual receipt of articles shipped via the FMS process. In most cases, the host nation coordinates the movement of items through its freight forwarder, which is a commercial transportation agent under contract to the host nation. However, in some cases, whether by host nation choice or USG policy, items are moved through the Defense Transportation System (DTS). In such cases, the SCO may have responsibilities, particularly if the materiel being shipped is classified. Chapter 11 of this textbook, "Foreign Military Sales Transportation Policy," includes a discussion of SCO responsibilities in this area.

A recent new responsibility for SCOs concerns automation, specifically the Security Cooperation Information Portal (SCIP). This password-protected and common access card enabled website allows both US and host nation personnel to review and input data on FMS cases as well as end-use monitoring (EUM) information. Host nation personnel and authorized LE Staff (formerly called Foreign Service Nationals (FSNs) or locally engaged staff), who are non-US citizen employees of the SCO, are required to be issued a secure electronic token for this access. The SCO is required to identify and maintain contact with the primary and alternate host nation administrators for SCIP tokens. Information and guidance for the SCO concerning SCIP access by the host nation is found at DSCA Policy Memorandum 03-11, "Enrollment Process for the Security Cooperation Information Portal," available on the DSCA web site. Appendix 1, "Security Assistance Automation," of this textbook, provides more information.

## **Training Management**

The SCO should coordinate all military training conducted or contracted by DOD for the host nation. It advises and assists the host nation in identifying, forecasting, and programming training requirements of all kinds, e.g., professional military education, tactical training, technical skills, etc. It helps ensure that properly qualified candidates are chosen for training, to include English language testing for prospective students. The SCO is responsible for management of training purchased under the FMS program, USG appropriated IMET funding, DOD-funded Combating Terrorism Fellowship Program (CTFP), and other sources. In addition to individual event training such as professional military education, the SCO must be aware of the relationship of FMS purchases and associated required training. The two functions should be smoothly integrated to ensure that training needs associated with the acquisition of equipment, whether by FMS or DCS, are identified early and appropriately addressed. Besides routine coordination between host nation counterparts and DOD agencies, this function requires specialized user training in a software program called the Training Management System (TMS). A detailed discussion of international training and the roles of the SCO are found in chapter 10 of the SAMM and in chapter 14 of this textbook, “International Training.”

## **End-Use Monitoring (EUM)**

The SCO function in the FAA described as “program monitoring” refers to the requirement to monitor host nation use and protection of FMS and grant program defense articles, services and training transferred to the host nation, as well as the eventual disposal of these defense articles. This includes the integration of US-origin equipment, training, and services into the host nation force structure. Additionally, in rare cases, the host nation will lease (rather than purchase) articles under FMS. Because leased equipment remains the property of the USG, the SCO has a special responsibility for monitoring it. However, the most time-consuming aspect of program monitoring involves EUM. In performing this function, the SCO is essentially determining the answers to four questions:

- Is there an effective equipment accountability program/procedure in place?
- Is the equipment adequately secured and safeguarded?
- Is it being used only for purposes for which it was transferred?
- Is the eventual transfer or disposal of the equipment in accord with US guidelines?

Where possible, the SCO should integrate EUM into other routine duties, such as visits to military bases and depots, observation during combined exercises, etc. In some cases, however, EUM generates its own workload, such as with the requirement for a periodic inventory of specified items or the need to observe the destruction of materiel. The SCO should recognize the sensitivity about this function on the part of the host nation, which may incorrectly view it as a lack of trust on the part of the USG, rather than a legislated requirement by Congress. A key challenge for the SCO is to cultivate a cooperative, rather than confrontational, atmosphere over this function. The DOD requirements for EUM are formalized by DSCA in the Golden Sentry program for articles transferred through government channels (e.g., FMS, excess defense articles, etc.). The SCO will periodically be called upon to coordinate and host a DSCA-sponsored visit under the Golden Sentry program, during which compliance by the host nation with EUM guidelines is assessed. For those articles transferred through DCS, the guidelines are established by the DOS in its Blue Lantern program. It is not unusual for the SCO to assist the embassy Blue Lantern officer with inspections. An in-depth discussion of EUM is found in chapter 8 of the SAMM and chapter 18 of this textbook, “End-Use Monitoring and Third-Party Transfers.”

## **Rationalization, Standardization, and Interoperability (RSI)**

As mentioned above, the FAA requires SCOs to promote RSI with the host nation. While this is not a task for the SCO per se, it remains a consideration in the course of accomplishing other duties. RSI is not limited to standardization of equipment and ammunition and interchangeability of repair parts. Rather, it covers the full spectrum of operations and logistics, including, for example, military terminology, doctrine, communications, medical, and mapping functions. DOD's policy is governed by CJCSI 2700.01A, *International Military Agreements for Rationalization, Standardization, and Interoperability (RSI) between the United States, Its Allies, and Other Friendly Nations*. The policy can be summarized as follows:

- Interoperability with partner nations is in the best interests of the US
- The degree of RSI with any given partner is subject to financial, technical, and policy considerations
- Worldwide standardization with friends and allies is a goal, but should not impede efforts at the regional or bilateral level

In summary, if the host nation is obtaining articles, services, and training from the US, RSI is being promoted to some degree.

## **SCO SECURITY COOPERATION DUTIES**

In addition to the traditional SA functions just described, the SCO also typically manages a variety of SC programs, many of which are addressed in chapter 1 of this text, "Introduction to Security Cooperation." Combined exercises, humanitarian assistance programs (with many developing countries), and armaments cooperation (with selected developed countries) are prime examples. No two countries will have the same combination of, or emphasis on, SC activities. Where possible, the SCO should integrate SC activities with traditional SA to advance the US goals and objectives for the host nation.

## **SCO PLANNING TOOLS**

Although not normally conducted on a daily basis, the planning function of the SCO remains the most critical. Planning is a SCO function per the FAA, as stated above, and is also required by the annual planning and budget cycles of both DOD and DOS. Planning should normally be done in conjunction with the SDO/DATT, in his capacity as SCO chief. The planning tasks of the SCO are identified in SAMM Table C2.T2, but the process deserves further explanation. The SCO will draft, or provide input to, up to four planning documents on an annual basis, which, when approved, serve as country-specific policy guidance or funding authority. While each of these four documents has its own annual timeline, format, and approval process, they all begin with the SCO. As the SCO goes about its routine duties of FMS case management, training management, and other functions, it is critical to conduct an occasional "compass check" to ensure that the various programs and initiatives being pursued do in fact support the goals and objectives identified on the planning documents. The four documents and processes are discussed below.

### **Mission Strategic Resource Plan (MSRP)**

First and foremost is the ambassador's MSRP, drafted with input from the SCO and the rest of the embassy country team. The MSRP informs the annual foreign operations budget. The MSRP is the primary planning document within the USG that defines US national interests in a foreign country and coordinates performance measurement in that country among USG agencies. The MSRP creates a framework for all federal agencies, including DOD, to define priorities, articulate the goals and objectives of their programs, and relate program accomplishments to agency-specific and government-

wide strategic goals. A key function of the SDO/DATT is to ensure that DOD equities are reflected in the MSRP. MSRPs must reflect the embassy's program to support the DOS and US Agency for International Development (USAID) Strategic Plan. Once approved by the Ambassador, the MSRP is sent to Washington DC for interagency review. For countries which receive appropriated foreign aid, including SA (FMF, ESF, IMET, etc.), the MSRP also acts as the vehicle to transmit that request to DOS. The MSRP focuses on out-year diplomatic and assistance planning.

For each country receiving US foreign assistance, the MSRP is complemented by the Mission Operational Plan and the Mission Performance Plan which ensure that all foreign assistance resources are coordinated, appropriately linked to foreign policy objectives, and supportive of an integrated country strategy. The plans are accessed and fleshed out semi-annually in the Foreign Assistance Coordination and Tracking System (FACTS), primarily by the embassy's political-military officer with assistance from the SCO.

The remaining three planning documents (described below) for the SCO are submitted into DOD channels and must be consistent with the MSRP in terms of goals and objectives. It is important to note that the MSRP for the upcoming year is accomplished in the spring, whereas the DOD required submissions have been sent in by the SCO in the autumn prior to the MSRP. The SCO must ensure that DOD submissions in the autumn are therefore coordinated with the rest of the country team and Ambassador before submission as they will be reflected in the MSRP.

### **Theater Campaign Plan**

The second planning document for the SCO is the GCC's theater campaign plan (TCP). Specifically, the SCO is concerned with the country-specific component of that document, variously called a country campaign plan (CCP), country action plan, country cooperation plan, etc., by the GCCs. Although officially drafted by the GCC staff, the SDO/DATT is normally the unofficial "point man" for the development and execution of the country-level campaign plan. The country plan must articulate a nexus of objectives by drawing on the Ambassador's MSRP and the regional guidance within the GCC theater campaign plan, and integrating the national security interests of the host nation. The SCO should work closely with the SDO/DATT to ensure a full-spectrum review is accomplished. While not ignoring traditional SA, the country-level plan tends to focus on DOD-sponsored SC tools and indicate how they will support the GCC's goals and, of course, the Ambassador's MSRP. The requirement for each GCC to develop a theater strategy and a campaign plan originates in the *Guidance for Employment of the Force*, issued by the Secretary of Defense (SECDEF). On a regular basis, each GCC will assess the results of its efforts towards the implementation of its theater campaign plan and modify objectives and reallocate resources as appropriate.

### **Combined Education and Training Program Plan (CETPP)**

The SCO prepares the third planning document, known as the Combined Education and Training Program Plan (CETPP). This document focuses on the goals and objectives for DOD-sponsored education and training for the host nation. Guidance for preparation is contained in the SAMM, paragraph C10.4 and figure C10.F1. The SCO uploads the draft plan electronically onto the Security Assistance Network (SAN) for review and approval by the GCC. The approved plan is utilized each spring during the GCC's Security Cooperation Education and Training Working Group (SCETWG). Further training program details are in chapter 14 of this textbook, "International Training." It is critical that the SCO develops a solid working relationship with the training departments of the host nation military services early in the tour so their desires can be incorporated into the CETPP.

### **Security Assistance Budget Web Tool**

Finally, if the host nation receives, or is proposed to receive, appropriated funds through FMF or IMET, the SCO will also make an annual submission and justification for these funds. This request is submitted electronically through the Security Assistance Budget Web Tool, managed by DSCA. This

document is forwarded upward through channels for endorsement and comment, i.e., to the GCCs staff, the Joint Staff, DSCA and Office of Secretary of Defense (OSD) policy offices, where a final DOD position is developed for each country. This position is then used by DOD representatives in round table discussions with DOS in the development of an eventual congressional budget justification to be submitted by the Secretary of State to Congress. SDO/DATTs must coordinate their submissions (both the amounts of aid requested and the justification) with those in their Ambassador's Mission Strategic Resource Plan.

## **SCO PLANNING CONSIDERATIONS**

As mentioned earlier, the FAA indicates that a primary SCO responsibility is “evaluation and planning of the host government’s military capabilities and requirements.” The scope of this function ranges from analyzing host nation capabilities and shortfalls to forecasting likely arms transfers to developing and executing a country campaign plan under the auspices of the GCC. Unless one has performed these functions previously, it is not reasonable to be expected to be the expert upon arrival. Newly arrived SCO personnel must familiarize themselves with the local SCO work environment, from the embassy, to the host nation Ministry of Defense, to simply adjusting to life in a foreign country. In the months prior to arrival, inbound SCO personnel should be in routine contact with their predecessors to begin understanding and appreciating the current situation in country. New SCO personnel must become intimately familiar with the planning documents and processes identified above—GCC TCP and relevant CCP, MSRP, CETPP, and SA Web Tool submission (as appropriate). Finally, SCOs should review the most recent submissions of forecasting documents (Javits and FMS Sales Forecast Reports).

In order to begin a rational planning process, you must become familiar with the host nation. Work with your co-workers on the embassy country team and the DAO in particular, to gain insights into the local frame of reference on issues of national security, foreign policy, and military strategy. One starting point for orientation may be “PMESII” (political, military, economic, social, infrastructure, and information systems) analysis. Of course, this requires time getting to know your host nation and your military counterparts. By absorbing what you learn and understanding US strategic and foreign policy toward the host nation, you can build a foundation for planning future SC engagement.

One method to structure your thinking is to orient around Ends, Ways, and Means. The Ends are provided to you via the national level and theater level guidance document. The SCO can consider this guidance from the GCC theater level to be the lowest level of “strategic” guidance to execute national security policy. Your task in the SCO is to help translate that guidance by infusing host nation realities so that the GCC staff can produce an actionable country campaign/cooperation plan. The CCP will expand on this by outlining the actions and actors required to achieve the desired Ends; therefore, these may be considered the Ways. One might also term this as the “operational” level of guidance. These intermediate actions may be called Lines of Activity, or Lines of Operation, or other terms depending on the GCC. With regard to SC engagement activities, the SCO must develop solid, functional, working relationships with the GCC country desk officer in the J5 (J4 in PACOM), and all of the GCC component and sub-unified command planners, as they will be the authorities tasking their subordinate commands to achieve the end states in the CCP.

The Means are the tactical level engagement activities and associated funding required to accomplish milestones along the way to the desired end states as spelled out in each Line of Activity/Operation/etc. These milestones are further broken into tasks, and this is where soldiers meet soldiers, training or familiarization occurs, relationships are brought to fruition. The SCO must realize that there will probably be multiple milestones (or outcomes) along the way to the end state, and to reach each of those milestones, there will likely be several (or many) associated tasks. Comprehending the requirement to break down each of the milestones (or higher level lines of activity) is the easy part. For example, the SCO cannot expect the host nation to become an expert at expeditionary Special Forces

employment only by attending a single seminar from US Special Operations Command (USSOCOM). There are a myriad of activities that need to be performed both simultaneously and sequentially over an undetermined length of time, and that is where the SCO can help focus the effort. Working closely with the host nation, the GCC, the GCC component command planners, and the US force provider, the SCO can help shape a logical timeline of activities and events that will achieve the desired end state within the host nation military. It is critical to realize that security cooperation planning by the SCO does not occur in a vacuum. The SCO is expected to function as the link which focuses and synchronizes US security cooperation goals and actions with the desires and objectives of the host nation armed forces.

It is useful for the SCO to have a basic understanding of the possible sources of funding for the myriad events in the plan, and to make those recommendations throughout the planning process to the GCC. The GCC will play a major part in the allocation of funds, prioritization of funds throughout the GCC, and make the COCOM submission to OSD and the Joint Staff for funding levels. Other types of funds such as Traditional COCOM Activities (TCA) or Combatant Commander Initiative Fund (CCIF) will be filtered through the GCC process and the SCO can only make recommendations. Of course, some funds for activities may come from sources directly allocated to the country such as FMF, or IMET, or other DOS funds, such as NADR or INCLE, and the SCO needs to have a clear understanding of the acceptable uses for each.

Finally, it is important to make the time to “plan to plan.” Within a SCO, there is an inexhaustible list of activities and events that need attention throughout the workweek, and can easily overwhelm a disorganized office. The SCO should establish a battle-rhythm that allows a focused effort on a regular basis in order to prepare for and develop and refine the SCO planning tools and associated SC budget submissions. The timelines throughout the year are well known and vary only slightly from year to year. Therefore, waiting until the last minute to develop a comprehensive plan is unrealistic. The GCCs and their component commands will conduct planning conferences through the year, the CCP will need updates throughout the year, and the ambassador’s MSRP is updated annually. It is therefore imperative that SCO personnel anticipate the suspense dates and develop a reasonable planning schedule to accommodate the requirements.

## **SCO ANNUAL FORECASTING DOCUMENTS**

DSCA also requires that SCOs worldwide submit two forecasting documents annually. It is important to note the distinction between planning documents and forecasting documents. The planning documents listed in this chapter all reflect a goal which is intended to be achieved, such as an expanded capability by the host nation military or the obtaining of US resources (e.g., FMF). On the other hand, a forecasting document simply reflects the SCO’s best estimate of what the host nation will do in the future, particularly with regard to purchases of defense articles and services from the USG. Beginning in 2011, DSCA combined these two forecasting reports into one submission process by the SCOs.

### **Javits Report**

Required annually by the AECA, the Javits Report is the President’s estimate to the Congress of potential or proposed arms transfers during a given calendar year. Formally called the annual “Arms Sales Proposal,” the Javits Report is named for its principal sponsor, the late Senator Jacob Javits (D-NY). The Javits Report is designed to identify potential sales by country, whether FMS or DCS. The two thresholds are \$7M of major weapons or weapons-related equipment and any proposed sale of \$25M or more. The Javits Report is not binding on partner nations and is submitted to the Congress as an advisory document to address defense export trends and to open discussion on likely formal notifications. Javits is due to Congress NLT 1 February each year and is submitted by the State Department based on inputs collected by DSCA.

## **FMS Sales Forecast Report**

A companion document to the Javits Report, the FMS Sales Forecast Report helps DSCA determine the resource requirements for FMS implementing agencies so that sufficient manpower and other resources are available to handle the anticipated FMS case load across DOD. Its reporting requirements are separate from, but largely overlap, those of the Javits Report. This report is a two-year projection by fiscal year (vice one calendar year for Javits) but only addresses potential FMS sales. Unlike Javits, it has no dollar thresholds, so all potential FMS sales should be listed.

For the two forecasting reports, DSCA sends a call-up message to SCOs (and other organizations) each April with input due in June. Beginning in 2011, DSCA merged the reporting requirements for both the Javits Report and the Sales Forecast Report into one submission for SCOs. It is important for SCOs to be as thorough and as accurate as possible in this submission. SCOs should consider historical FMS activity by the partner nation, current economic trends, and the availability of unexpended and anticipated FMF grant monies. It may well be appropriate to contact host nation counterparts to obtain their estimates of essential and likely FMS sales, but it is important to avoid any “false impression” that the USG will approve (or has already approved) a future request.

## **SECURITY COOPERATION ORGANIZATION PERSONNEL SELECTION**

Personnel are nominated to SCO positions in accordance with the following criteria established in DODI 5132.13, *Staffing of Security Cooperation Organizations (SCOs) and the Selection and Training of Security Cooperation Personnel*:

- Military and civilian personnel selected to serve in a SCO shall possess the demonstrated personal and professional qualifications necessary to effectively carry out the functions to which they are assigned. Prior to consideration, it is essential that personnel are screened carefully to ensure that the selectee has the appropriate qualifications, experience, and suitability for the assignment.
- Prior to selection, all prospective candidates for SCO assignment will receive full and accurate information specific to the foreign area for which they are being considered. This information must include the type of facilities and services available to the member and his/her family, the nature of the mission to be performed, the conditions of their employment, and their conduct and responsibilities as official representatives of the US.

Most SCO positions are nominative, joint duty billets. Requirements for nomination may entail slightly different criteria from the norm with respect to civilian education, training, language qualifications, military schooling, experience, area familiarity, health, and family considerations. Chapter 17 of this textbook, “Resource Management for the Security Cooperation Organization,” contains an in-depth discussion of the human resources of the SCO, including personnel billets and manpower issues.

## **INTERACTION AND RELATIONSHIPS**

To be effective, SCO personnel must cultivate relationships with, and respond to, a variety of organizations, agencies, and individuals. Many organizations and individuals lay claim to SCO resources in furthering their own missions and agendas, occasionally giving rise to conflicts in priorities and competing interests.

SCOs traditionally respond through two chains of command: one through the embassy and the other through the GCC. A key challenge for the SDO/DATT is to respond to the direction of the Ambassador while at the same time satisfying requirements levied by the GCC.

The SDO/DATT acts as a key player within the embassy and the GCC because of his influence, advice, and expertise, not necessarily because of his authority. The successful SDO/DATT knows how and when to leverage his influence with other players—the Ambassador, the GCC, the host nation, and others—to maximize the advancement of USG foreign policy and national security goals.

### **Role of the Senior Defense Official/Defense Attaché**

With the publication in 2007 of DODD 5105.75, *Department of Defense Operations at US Embassies*, DOD has updated the policy and assigned responsibilities for the operation of the DOD elements at US embassies. This directive creates the position of SDO/DATT as the principal DOD official in US embassies. It establishes the SDO/DATT as the diplomatically accredited defense attaché and chief of the SCO and further delegates joint responsibility for the oversight and management of the SDO/DATT to the Under Secretary of Defense for Policy [USD(P)] and the Under Secretary of Defense for Intelligence [USD(I)]. This directive is amplified by the CONFIDENTIAL and NOFORN DOD Instruction 5105.81 *Implementing Instructions for DOD Operations at US Embassies (U)*, issued in 2008.

DODD 5105.75 continues DOD's long-standing policy that DOD personnel in a foreign country who are not under the command of a US area military commander shall be under the authority of the Chief of Mission (COM) in that country. By law, this includes SCO personnel, even though they are assigned under a GCC (see the discussion of COM authority below). However, the directive implements a policy change by creating one formally designated military officer in each embassy to be responsible for all DOD actions and DOD personnel in that country. To this end, the directive gives each SDO/DATT coordinating authority over DOD elements under the direction and supervision of the COM, with the exception of the Marine Security Guard (MSG) detachment at the embassy. For the purpose of the directive, coordinating authority is defined as “a commander or individual assigned responsibility for coordinating specific functions or activities involving forces of two or more MILDEPs, two or more joint force components, or two or more forces of the same service. The commander or individual has the authority to require consultation between the agencies involved, but does not have the authority to compel agreement. In the event that essential agreement cannot be obtained, the matter shall be referred to the next senior in the reporting chain.”

According to DODD 5105.75, the SDO/DATT in each embassy shall:

- Serve as DATT and Chief of Security Assistance (i.e., SCO Chief) under the joint oversight and administrative management of the USD(P) and USD(I) through the Directors of the DSCA and the Defense Intelligence Agency (DIA), in coordination with the respective GCC.
- Act as the in-country focal point for planning, coordinating, supporting, and/or executing US defense issues and activities in the host nation, including the theater SC programs under the oversight of the GCC.
- Serve as the principal embassy liaison with host-nation defense establishments and actively participate in national security and operational policy development and coordination.
- Represent the SECDEF and the DOD components to host nation counterparts and foreign diplomats accredited to the host nation, and act as the principal in-country DOD diplomatic representative of the SECDEF.
- Present coordinated DOD views on all defense matters to the COM and act as the single DOD point of contact to the COM to assist in carrying out the COM's responsibilities.
- Represent the SECDEF and the appropriate commanders of the GCCs for coordination of administrative and security matters for all DOD personnel not under the command of a US area military commander.

- Carry out the duties and instructions as set forth in the *Chairman of the Joint Chiefs of Staff Instruction C-3310.01C*. [Note: This instruction was cancelled in 2008 and is replaced by DODI C-5105.81]
- Exercise coordinating authority (definition above) over DOD elements under the direction and supervision of the COM. This shall not preempt the authority exercised over these elements by the COM, the mission authority exercised by the parent DOD components, or the command authority exercised by the GCC under the *Unified Command Plan*. Additionally, this authority does not include authority to impose punishment under the Uniform Code of Military Justice.
- As required, provide information to USG officials on the general scope of in-country activities for all DOD component command elements assigned to the mission. This includes the missions, locations, organizations, and unique security requirements.

Normally located within the US embassy in the host nation, the SDO/DATT and other SCO personnel by law are under the direction and supervision of the US Ambassador, also known as the COM. On SA and other issues, the SDO/DATT acts as an advocate for host nation concerns and interests to DOD and the USG. At the same time, the SDO/DATT recognizes his responsibility to advance US foreign policy goals under the Ambassador and promote theater campaign plan objectives under the GCC. The SDO/DATT must accept direction from multiple “bosses,” i.e., Ambassador, GCC, DSCA, and DIA, and anticipate or recognize the occasional need to reconcile conflicting guidance. Indeed, the SDO/DATT is the link which ensures compatibility of DOS and DOD policies and promotes synergy of their resources. This also requires the ability to work routinely and smoothly with host nation counterparts and to interpret or explain USG policies and procedures for a variety of programs. Finally, in the performance of these duties, the SDO/DATT must often bridge the “culture gap” between the US and the host nation.

Each SDO/DATT, upon completion of training, receives a formal appointment letter from the SECDEF. The SECDEF and the Chairman of the Joint Chiefs of Staff also provide a total of three other letters of introduction, identifying the new SDO/DATT by name. Generic copies of these four letters (listed below) are found at attachments 4-4 through 4-7 of this chapter.

- From the SECDEF to the appointed SDO/DATT
- Letter from the SECDEF to the US Ambassador in the host nation
- Letter from the SECDEF to the MOD (or equivalent) in the host nation
- Letter from the Chairman of the Joint Chiefs of Staff to his host nation counterpart

### **Chief of Mission Authority**

The Ambassador is the personal representative of both the President and the Secretary of State. As the principal officer in the embassy, he oversees all USG programs and interactions with and in the host nation. The Ambassador derives his authority and responsibilities from the Foreign Service Act of 1980 [P.L. 96-465], section 207, which is summarized below:

- Ambassador (or other COM in the Ambassador’s absence) has full responsibility for the direction, coordination, and supervision of all USG executive branch employees in country, except for employees under the command of a US area military commander (i.e., normally a GCC or a subordinate commander).

- Ambassador must remain fully informed concerning all activities and operations of the USG within country and must ensure that all USG executive branch employees in country, except for employees under the command of a US area military commander, comply fully with all applicable directives of the Ambassador.

In addition, the FAA, section 515(e), states that members of the armed forces assigned to a foreign country for the conduct of SA (i.e., SCO personnel) shall serve under the direction and supervision of the Ambassador or COM to that country. Because SA programs by law are under the supervision and direction of the DOS, the SDO/DATT must seek guidance for their implementation from the Ambassador.

The President typically refers to these legal authorities and responsibilities in his letter of instruction to each Ambassador. President Barak Obama's letter of instruction to his ambassadors is in attachment 4-1. Note that the President refers to the responsibility of the Ambassador and the GCC to "keep each other currently and fully informed and cooperate on all matters of mutual interest." This is accomplished primarily through the continuous liaison of the SDO/DATT.

The Ambassador may be a career foreign service officer, having risen through the ranks at the DOS, or he may be a political appointee of the President. In either case, his authority under the law and under Presidential directive is the same.

### **Country Team**

The country team is the principal means by which a diplomatic mission comes together as a cooperative, coordinated, and well-informed staff. In its broadest sense, the team is all elements and all USG employees of the American mission in a foreign country. More narrowly, it is a management tool, a council of senior officers, heads of the various sections of the mission, working together under the Ambassador's direction, to pool their skills, resources, and viewpoints in the national interest. The country team has no legal standing and its composition and functions are not specifically delineated in any formal document. The Ambassador determines the type of team that best suits his needs.

In practice, the make-up of the embassy country team varies widely, depending not only on the Ambassador's management style, but also on the country situation, the number of American programs, and the backgrounds of the senior officers of the different agencies attached to the diplomatic mission. In some posts, there may be no defined membership; the team changes its composition according to the kind of problem being considered. However, at most posts the following will typically be members: the Ambassador, the Deputy Chief of Mission (DCM), the chiefs of the political and economic sections of the embassy, the SDO/DATT, the regional security officer, and the management counselor. The country team may also include representatives from other embassy agencies as the Ambassador desires.

The country team coordinates with and advises the Ambassador on the full range of issues and events facing the US mission at any given time. Informal consultation among country team members occurs frequently and continually on issues and problems as they arise. Weekly collective meetings of the team, chaired by the Ambassador, are the norm.

The country team is also an executive body that, under the Ambassador's leadership, divides the tasks to be done, and supervises their accomplishment. It typically sees that jobs are assigned to those agency representatives that can best execute them, based on resources and expertise. Finally, the country team is the planning body, which analyzes the situation in country, formulates plans and strategies for executing US foreign policy in country, e.g., through the MSRP, and recommends policy to Washington DC. Close teamwork is critical, especially when time-sensitive issues are at stake. Officials of all agencies must work together at all levels, to speak with one voice and to accomplish the task at hand. The formal country team is thus an advisory body, a forum for consultation, and a means of promoting a coordinated effort.

## **Ambassador as Team Chief**

The Ambassador, as personal representative of the President, is sole head of the country team. The Ambassador uses his team as a tool for assembling the best information, ideas, and judgments of all USG officials in country and to produce effective action to reach his objectives. He must mold the entire staff into a cohesive unit, with a common sense of purpose and direction. The Ambassador must keep in perspective all US interests and activities in the country; he ensures that recommendations of the country team are balanced and that the enthusiasm or partiality of employees for their own programs does not carry them astray. The Ambassador must balance all the implications of proposed courses of action and decide what is best for American interests as a whole. As such, the Ambassador is responsible in ensuring that the post's Emergency Action Committee (EAC) maintains a comprehensive and current Emergency Action Plan (EAP) for responding to threats, emergencies, and other crises at the post or against US interests elsewhere.

## **Role of the Deputy Chief of Mission**

The DCM serves as the chief of staff of the embassy and manages the daily operations of the embassy staff. In matters that cross agency lines within the country team, the DCM normally coordinates and facilitates decisions or recommendations to the Ambassador. In the temporary absence of the Ambassador, or during an interim period between ambassadors, the DCM assumes the temporary title of chargé d'affaires. While the Ambassador normally focuses his attention outward toward the host nation, the DCM's focus is primarily internal, ensuring that the country team is working smoothly in support of the Ambassador's objectives. The DCM is almost always a career foreign service officer.

## **Other Relationships**

SCO personnel deal with all country team members from time to time, but are particularly concerned with the following members:

- The political-military officer is normally located within the embassy's political section. The "pol-mil" position may be either full-time or an additional duty. The SCO coordinates with him especially on issues of visibility to the DOS in Washington DC, such as a proposed major weapons sale which requires a formal country team position, or a proposed third-party transfer of US-origin equipment.
- The economic counselor can provide valuable information on the host country's economy, budget, and its ability to support arms purchases. In many embassies the on-going transition to a single POL-ECON unit has occurred, but the SCO coordination with the office should not change.
- The consular officer in charge of the consular section which issues US visas to host nation citizens. The SCO works closely with him on the vetting and issuance of visas for international military students. [Note: In larger countries, DOS maintains stand-alone consulates in cities other than the national capital; the chiefs of these posts are titled consul generals.]
- The public diplomacy officer [often referred as the Public Affairs Officer (PAO)] can provide background data and information on sensitivities of the host nation government and citizens, which can facilitate the SCO's relationships with host nation counterparts. Additionally, through the embassy's web site, press releases, and other interactions, the PAO can disseminate information on the benefits to the host nation of SA and other USG programs. The SCO should coordinate all significant events, such as the visit of senior DOD officials and conduct of combined military exercises, through the embassy PAO.

- The regional security officer (RSO) has overall responsibility for security, anti-terrorism and force protection for all personnel under the authority of the Ambassador and is responsible for the embassy's Emergency Action Plan (EAP). The EAP is a post-specific and comprehensive plan that provides procedures for responding to foreseeable contingencies. The RSO is the focal point for the SCO in all matters pertaining to force protection, to include security requirements and country clearance for official and distinguished visitors. The RSO also supervises the MSG detachment, where assigned.
- The director of the USAID office, where assigned. The USAID staff administers humanitarian assistance and other non-military foreign assistance programs for developing countries on behalf of the Ambassador. USAID also has the lead responsibility for disaster relief actions within the country team.

The SDO/DATT represents all of DOD within the country team, including the GCC, DSCA, and the DIA. Under the SDO/DATT, it is critical that good communication and routine cooperation exist between the DAO and the SCO. However, their distinct responsibilities must be kept segregated. From a functional standpoint, the SCO and the DAO are independent DOD "stovepipe" agencies within the embassy, each accountable to a different defense agency in Washington DC (DSCA and DIA respectively). The unique role and authority of the SDO/DATT, in charge of both organizations, should ensure that DOD's interests and objectives are smoothly integrated under the COM and coordinated with the host nation.

The SCO also interacts daily with the embassy staff on numerous requirements necessary for its administrative support. Such issues include housing, communications, commissary support, medical support, local manpower, financial support, and customs clearance of personal and official property, as well as dependent schooling, and numerous other areas.

### **GCC Relationships**

Relationships between the SCO and the GCC can generally be categorized as both operational and administrative. The operational relationships are primarily related to the SCO's execution of the GCC's theater campaign plan with the host nation military, as discussed above. Concerning the administrative relationships, the GCC is required to perform the following functions, among others:

- Rate/endorse SCO personnel on their evaluation reports. For the SDO/DATT, US ambassadors may provide letter input, and their evaluation reports are completed by the DIA and the GCC.
- Control and coordinate the SCO joint manpower program requirements (details in chapter 17, "Resource Management for the Security Cooperation Organization").
- Coordinate the administration of SCO financial and personnel records.
- Administer SCO direct hire programs.
- Fund and administer quality of life programs for the SCO.
- Serve as the focal points for reviewing and consolidating SCO operational budgets and forwarding to DSCA.

The GCC and the Ambassador must ensure that the SDO/DATT does not receive conflicting guidance, instructions, or priorities. If this occurs, the SDO/DATT must seek clarification or resolution. While the SDO/DATT chief is in the occasionally difficult position of responding to two masters, he is also uniquely able to understand both the GCC and the Ambassador, balance their respective priorities, and leverage their resources. In particular, the SDO/DATT must be alert to take advantage of the

wide range of support and expertise available from the GCC, despite the distances separating the two activities. It is imperative for the SCO/DATT to maintain routine and timely communications with the GCC on behalf of both the Ambassador and the host nation.

### **Host Country Relationships**

If the USG has made a considerable commitment to a partner nation, shares kindred interests, and is on excellent diplomatic terms, it is probable that the SCO's relationship, accessibility, and credibility with the host nation's military establishment will be equally solid. However, if the diplomatic climate between the US and the host nation is less amicable, the SDO/DATT's job will be more challenging as it works to cultivate an improved relationship with the host nation military. Whatever the situation, the SDO/DATT's total professionalism and integrity in executing all responsibilities remains paramount.

Establishing a good working relationship begins with a sharing of interests and ideas. The SDO/DATT should recognize that there is a common foundation upon which to build rapport with host nation military counterparts, namely the universal brotherhood of arms. The problems of military doctrine, force structure, training, equipping, and logistical support are common to the armed forces of all nations. The successful SDO/DATT will take a sincere personal interest in the host nation's culture, history, customs, and religion, and likewise will cultivate both personal and professional relationships with local counterparts, which often forms the basis of life-long contacts and friendships.

Within the professional relationships, the SCO will be called upon to answer many questions, some of which will be difficult, unexpected, irritating, or time-consuming. Some situations will involve practices and decisions that may encroach on sensitive US foreign policy positions or business ethics. Obviously, responses to these and other difficult inquiries must be handled with the great care, tact and honest professionalism. Nothing discredits a SCO more quickly than duplicity, failure to respect host nation concerns, or the inability to fulfill a commitment made in unthinking haste.

In summary, the SCO must retain its integrity and identity as an official arm of the USG. Its close relationship with host nation counterparts must not cloud its professional judgments and recommendations, or compromise official US policy.

### **Security Assistance Teams**

SCO personnel have a mandate from Congress to act in a management, coordination, and liaison capacity for SA programs. They are generally not to provide training or technical assistance. These functions are defense services and should be specifically authorized and priced. Training and technical assistance are paid for by the host nation normally through the FMS process. When these functions are performed in-country, they are normally done by SA teams (SATs). These teams act as an extension of the SCO; their presence, administrative support, and force protection must be coordinated in advance with the embassy country team.

According to section 515(b), FAA, "advisory and training assistance" conducted by SCO personnel shall be kept to an absolute minimum: "It is the sense of Congress that advising and training assistance in countries to which military personnel [i.e., SCOs] are assigned under this section shall be provided primarily by other personnel."

SATs are detailed for limited periods to perform specific tasks. Likewise, advisory assistance by SCOs should not extend to combat operations. SCOs must refer any such requests to the Ambassador and the GCC.

There are a variety of SATs that may be dispatched to a country for training or other missions. Teams may be deployed on either a permanent or temporary basis. Some teams have an official existence of ten years or longer. A source of funding is required to establish and maintain a team. Typically this source of funding is an FMS case or the country's current year IMET program. The term "team" is

used loosely as it can in fact consist of a single individual. The following is a listing of the common types of SATs. The terminology sometimes varies according to the US military service providing the team.

- Extended training service specialist (ETSS)
- Contract field services (CFS)
- Technical assistance field teams (TAFTs)
- Mobile education teams (METs)
- Mobile training teams (MTTs)
- Technical assistance teams (TATs)
- Language training detachments (LTDs)
- Weapon system logistics officers (WSLOs)
- Quality assurance teams (QATs)
- Site survey teams
- Expeditionary requirements generation teams (ERGTs)

### **SCO Oversight and Support of Security Assistance Teams**

Guidance on SATs, including the requirement for SCO oversight and support, is found at SAMM, section C11.13, including table C11.T25. The SDO/DATT exercises operational oversight for, and provides administrative support to in-country SATs. Specific duties include the following:

- Oversee, along with the team chief, the effective and professional execution of the team's mission in accord with its specified charter.
- Reconcile any disagreements or misunderstandings with the host nation concerning the mission of the SAT and its execution.
- Integrate, as necessary, team activities with other US efforts in SA, SC, and foreign policy.
- Ensure team compliance with relevant directives on SA, anti-terrorism/ force protection, and other areas.
- Keep the Ambassador, the GCC, and the supporting MILDEP and/or FMS case manager informed of SAT activities and progress.
- Oversee and support, as necessary, administrative issues for the team, such as housing, budget, force protection, quality of life and mission sustainment.

### **Security Cooperation Organization Environment**

The vast majority of SCOs are small offices that are tasked with administering a wide range of programs often, perhaps even usually, outside the personal military expertise of its members. It is common for one member, without regard to parent military service, to be tasked to manage an FMS case or other program sponsored by another military service, with its associated requirements involving logistics, training, and other areas. A common example is the US Air Force officer assigned to a SCO who assumes the in-country responsibility for a US Army helicopter purchase by the host nation air force. Likewise, the common administrative tasks and extra duties incumbent in every

SCO—personnel issues, budget, property, vehicles, etc.—may be accomplished by a field grade officer, a non-commissioned officer, a US civilian employee, or LE Staff, depending on a variety of local circumstances. As with other organizations, delegation of routine duties is a valid management tool, but can only succeed to a point in a small office. The field-grade officer who is reluctant to pick-up a visitor's suitcase, put gas in his SCO vehicle, or send his own faxes will likely not be successful in the SCO environment. Due to the relative scarcity of manpower, SCOs must recognize the need for effective and flexible management. Key tools include:

- Developing and maintaining a comprehensive point of contact list for both host nation personnel and relevant DOD organizations.
- Using e-mail with multiple addressees in all organizations working an issue.
- Accessing official publications and other guidance (DOD directives and instructions, service regulations, etc.) on the Internet wherever possible.
- Leveraging personnel and other resources, within the embassy country team, the GCC, and elsewhere, for information or support as necessary.

There is normally a direct correlation between the size of a SCO and the magnitude of a country's SA program. Those countries with large FMS programs and those in which the US has key strategic interests generally have larger SCOs. In developing countries where SA programs are small, usually because of limited funding, SC programs often take on a more prominent role. In developed countries, on the other hand, the host nation may be largely self-sufficient in both its financing and management of SA, so the role and responsibilities of the SCO will take on a different tone. However, the importance of a program vis-a-vis its size may be relative; in some countries, a small program can be as meaningful and as politically influential as larger programs in other countries. In summary, the size of the SCO, the relationship with the host nation military, and the scope and volume of current programs, both in SA and SC, all combine to produce a unique working environment in each SCO.

### **RULES OF ENGAGEMENT WITH UNITED STATES INDUSTRY**

While SA is principally a foreign policy tool for the USG, it also provides benefits to US industry in the form of sales, jobs, and profits. Nearly all FMS cases involve procurement of goods and services, directly or indirectly, from US industry. For reasons of foreign policy, standardization and interoperability with US forces, and economic self-interest, it is to the advantage of the US that other countries buy American when they identify a military requirement. In this regard, the relationship between SCO personnel and representatives of US industry, although unofficial, is important to both sides. Note the following extracts of applicable documents:

- The US will take such steps as tasking our overseas mission personnel to support overseas marketing efforts of American companies bidding on defense contracts, actively involving senior government officials in promoting sales of particular importance to the US [Secretary of State Message, 180317Z February 1995, Subject: Conventional Arms Transfer Policy].
- The DOD is committed to greater cooperation with US industry to facilitate sales of US defense articles and services when in support of US national security and foreign policy objectives. DOD is prepared to assist and cooperate with US industry regardless of the type of sale, e.g., DCS, FMS, or a combination of the two [OSD Memorandum, 05 May 1999, Subject: Department of Defense Policy for Relations with US Industry in Sales of Defense Articles and Services to Foreign Governments]. See attachment 4-2, "SCO-Industry Relations," for the complete memorandum.

- To support US policy, trade, and interests, including enhancement of US defenses through support to friendly countries, the USG and US industry must work together through both FMS and DCS channels to effectively market US military items and services. [SAMM, section C2.5.7.2]

### **Promotion of United States Defense Industry**

The SCO is normally the primary point of contact in a US embassy for American defense industry representatives. In principle, the SCO should support the marketing efforts of US defense vendors over those of foreign competitors. The SCO can play a key role in facilitating the exchange of information between host nation officials and US vendors. The SCO must, however, maintain strict neutrality between US firms competing for the same potential sale and should not endorse one specific American product or vendor over another to the host nation unless specifically directed by higher DOD or USG authority. In cases where it is clear that there is only one US source of production for a certain product, the SCO may endorse that American product to the host nation. While supporting US industry, the SCO must also be an honest broker, considering both US and host nation defense and policy interests. Should the SCO judge that the marketing and/or sale of a product is not consistent with US interests, or is inappropriate for the host nation's best interests, or could adversely impact US credibility or bilateral relations, he should relay these concerns to the Ambassador, DSCA, and the GCC.

### **Security Cooperation Organization Support to United States Defense Industry**

The SAMM, section C2.5.7, is the primary source for policy guidance on the interface between SCOs and US industry. Attachment 4-3 is a briefing checklist for SCO personnel for use in meetings with representatives of US defense vendors. Upon request, the SCO can provide the vendor with a wide range of unclassified information pertaining to the host nation. This typically includes defense organization charts, names of key decision makers, budget process and spending limits, current and proposed requirements, information on any foreign competitors, and capabilities of the host nation defense industry, as applicable. Further, the SCO can:

- Provide advice on sales tactics to include unique cultural aspects of conducting business in that country
- Assist with appointments with host nation officials
- Provide specific information on the host nation acquisition and decision-making process
- Offer realistic estimates of what the country will probably buy

If possible, the SCO should attend vendor meetings with the host nation to prepare for host nation officials seeking follow-up information. The SCO must ensure a level playing field in country among US vendors competing for the same potential sale unless directed to do otherwise. Assistance rendered to one must be offered to a competitor. Likewise, the SCO should not disclose information about a US vendor that may provide an unfair advantage to its American competitor. Industry representatives are encouraged to debrief the SCO on the results of their in-country marketing efforts and their future plans.

### **Role of the Department of Commerce and the Commercial Attaché**

The Department of Commerce (DOC) has the primary responsibility to promote US trade with other countries and has an office for the promotion of international trade. The commercial attaché (stationed in most embassies) is the DOC representative on the country team, responsible for supporting US trade and conducting market research on the host nation. Some larger embassies and consulates have US and Foreign Commercial Service (FCS) trade specialists who have greater expertise in fostering trade between the US and the host country, to include some defense items sold commercially. These officials of the DOC can provide assistance to both industry representatives and SCOs on issues of marketing in the host nation.

Vendors may seek USG advocacy for their proposed exports through the Advocacy Center of the DOC. On a case-by-case basis, DOC may grant USG advocacy assistance in response to requests made by firms pursuing foreign government procurements and/or projects. If such a national interest determination is made by DOC (in consultation with DOS and DOD), the SCO and local embassy will be formally notified and may then advocate for the proposed sale with the host nation. This advocacy function is not primarily intended to support the sale of military items, but may still be appropriate in some cases. Current guidance is contained in the advocacy center's website: <http://www.export.gov/advocacy/>.

## **MISCELLANEOUS FUNCTIONS**

In addition to their primary duties, SCOs perform a wide variety of collateral functions, both operational and administrative in nature. The more common functions are described below.

### **Anti-Terrorism/Force Protection Responsibilities**

The SDO/DATT has additional responsibilities for anti-terrorism and force protection (AT/FP), as indicated in DODD 5105.75, *Department of Defense Operations at US Embassies*. For most US missions, a Memorandum of Agreement (MOA) on AT/FP responsibilities is in effect between the Ambassador and the GCC. The MOA delineates whether the Ambassador or the GCC has AT/FP responsibility for DOD personnel and dependents in country. The individual MOAs in US embassies worldwide are implemented pursuant to DODI 5210.84, *Security of DOD Personnel at US Missions Abroad*. This document includes, as an enclosure, the 1990 Memorandum of Understanding (MOU) between DOS and DOD concerning overseas security support for DOD personnel. Subsequently, in 1997, DOS and DOD signed a second, universal MOU in order to clearly define the authority and responsibility for the security of DOD elements and personnel in foreign areas not under the command of a GCC. The MOUs and the implementing MOAs were made necessary by The Omnibus Diplomatic Security and Antiterrorism Act of 1986, P.L. 99-399. This law is the statutory authority for the Secretary of State to provide for the security of USG personnel and their dependents on official duty abroad, except for those personnel under the command of the GCC. Because SCO personnel are generally located within the embassy, the implementing MOAs usually assign the responsibility and authority for their security to the COM, rather than the GCC. The SDO/DATT must work closely with the embassy's regional security officer and the AT/FP points-of-contact at the GCC.

Related to the AT/FP responsibilities is membership of the SDO/DATT (or his/her representative) on the Emergency Action Committee (EAC). The EAC is an advisory body of subject matter experts that assists in preparing for and responding to threats, emergencies, and other crises at the post or against US interests elsewhere. This committee will assist the RSO in developing and executing the embassy's emergency action plan (EAP).

### **Administrative Duties**

As a largely stand-alone office, the SCO is responsible for numerous administrative or housekeeping functions. Depending on the issue, the SCO may rely on the GCC, or the embassy, or both, for policy guidance and support in accomplishing these tasks. The common administrative functions include:

- Planning and executing the SCO budget
- Maintaining accountability for both office and residential property
- Performing necessary personnel actions for assigned military, US civilians and LE Staff personnel such as evaluations, promotions, awards, and pay actions
- Maintaining the SCO vehicles

- Assisting assigned personnel with housing and quality of life concerns
- Assisting visiting temporary duty (TDY) personnel and coordinating VIP visits (also see discussion of DOD foreign clearance responsibilities below)
- Managing SCO computers and communications equipment

These responsibilities become especially challenging in smaller SCOs with few personnel assigned. As members of the embassy staff, SCO personnel may also be called upon to perform duties in support of the embassy community. Examples of these duties include serving as a member of various committees such as housing boards, LE Staff personnel boards, ICASS council, embassy employees club, and organizing committees for community events such as the embassy National Day (4th of July) reception and celebration.

### **DOD Foreign Clearance Responsibilities**

A key mission of DOD personnel stationed in US embassies around the world is to control and process requests for foreign clearance (also called country clearance), both for official DOD visitors and for DOD aircraft. Depending on local arrangements and workload, this function may be managed by the DAO, the SCO, or (more probably) both offices. SCOs are frequently the action or information addressees in country clearance request messages because they have support responsibilities before and/or after the arrival of personnel/aircraft. Foreign clearance responsibilities are not confined to merely approving or disapproving DOD-sponsored personnel travel and DOD aircraft diplomatic clearance requests. Blanket clearances are occasionally negotiated with the host nation for personnel or fly-over rights, landing and entry of DOD aircraft and personnel to support peacetime missions (e.g., weather reconnaissance or humanitarian assistance), exercises, or contingency operations. In addition, delivery of FMS equipment sometimes occurs via the DTS, principally through the Air Mobility Command (AMC). Logistics support for DOD-sponsored distinguished visitors, aircrews, or other travelers is arranged in advance of arrival. Likewise, ground servicing arrangements for DOD aircraft must be coordinated in advance or upon arrival.

The SCO must understand and enforce compliance with local embassy and DOD policy on the full spectrum of foreign clearance issues, to include:

- Host nation visas and US passport policy for DOD-sponsored travel versus personal travel (i.e., while on leave status)
- Support for the DOD policy to minimize overseas travel
- US embassy and GCC policies regarding AT/FP considerations and in-country uniform requirements
- DOD aircraft and vessel freedom of navigation; sovereignty from unauthorized boarding, search and seizure; and support to DOD aircrews when host nation representatives or other officials attempt to assess charges for services exempt under agreement, custom, or practice.
- Recognition of the applicability of specific international laws, treaties, custom and practice

Inherent in these responsibilities is the requirement to keep the *DOD Foreign Clearance Guide* (FCG) current for the country of assignment. The FCG, including the on-line, electronic version, contains instructions for SCOs and other organizations to submit changes, such as additional restrictions or increased lead-times. Changes originating within the US embassy must contain a statement that the message has been coordinated with the US Ambassador or COM.

## **LEGAL STATUS OVERSEAS**

The legal status of SCO personnel who are performing their duties in foreign countries may be affected by the provisions of one or more treaties, international agreements, or laws. In most cases, the immunities afforded by these agreements are specific to the country and to the status of the individual involved. This section discusses the various immunities that may be afforded to DOD personnel stationed abroad.

### **Jurisdiction**

A primary element of national sovereignty is the exercise of jurisdiction by a government over persons within its territory. The USG strives to obtain legally binding international agreements that provide protections and immunities for DOD personnel overseas. DOD personnel not accredited or otherwise protected under an existing agreement are entirely subject to the host nation's laws and jurisdiction while in that country. Jurisdiction applies not only to criminal issues, but also to routine civil matters such as taxation or issuance of driver's licenses.

### **Vienna Convention on Diplomatic Relations of 1961**

The Vienna Convention on Diplomatic Relations (1961) is the primary international agreement which has regularized the conduct, status, and privileges of diplomatic missions. It recognizes several categories of personnel with respect to immunity.

The most comprehensive status category is that of "diplomatic agent" and is often referred to as full diplomatic immunity. The Vienna Convention provides three principal protections:

- Inviolability of Premises
- Inviolability of Person
- Immunity from Criminal Prosecution

Inviolability of premises prevents the receiving State from entering the grounds or building of a diplomatic mission. It also puts the burden on the receiving State to protect those grounds and buildings from violation by others. Article 29 and 30 extends this inviolability to the person, home, and property of the diplomatic agent and his/her family. Article 31 grants diplomats immunity from criminal prosecution or civil and administrative jurisdiction of the receiving State. In addition, a diplomat is not obliged to give evidence as a witness in the courts of the receiving State. This immunity cannot be waived by the diplomat, but solely by the sending government, and must be specifically waived each time. Diplomatic status does not grant to the diplomat:

- Immunity from the jurisdiction of the sending State.
- Immunity from civil and administrative jurisdiction over private business activities not done on behalf of the sending State.

Diplomatic agents hold diplomatic rank on the host government's diplomatic list and normally include the Ambassador, deputy COM, and attachés, including military attachés.

A second recognized status category of personnel is that of "Administrative and Technical" (A&T) staff. Persons in this category and their families receive the full criminal immunity afforded diplomatic agents, but are immune from the country's administrative and civil jurisdiction only in conjunction with their official duties. Most SCO personnel and their sponsored dependents fall into this category. Inbound SCOs should ascertain their exact diplomatic status from the US embassy.

**Figure 4-1**  
**Protections Under the Vienna Convention of 1961**

	<b>Jurisdiction</b>			
	<b>Criminal</b>		<b>Civil and Administrative</b>	
	Acts Performed within Duties	Acts Performed outside Duties	Acts Performed within Duties	Acts Performed outside Duties
<b>Diplomatic Agent</b>	Yes	Yes	Yes	Yes
<b>Administrative and Technical Staff</b>	Yes	Yes	Yes	No

### **Diplomatic Documentation**

Personnel having diplomatic rank will generally carry diplomatic passports and have full diplomatic protections. A&T Staff will carry either diplomatic or official passports, depending on agency, but still only have A&T Status. The type passport is not the critical issue, the formal Diplomatic List held by Ministry of Foreign Affairs (MFA) of the receiving State is the only authoritative document indicating everyone's diplomatic rank and status. Diplomatic cards (known in country by various names) are issued by the MFA of the receiving State to members of the diplomatic mission indicating the recognized status.

### **Status of Forces Agreements**

In addition to the Vienna Convention, the USG has entered into more than one hundred multilateral and bilateral agreements addressing the presence and activities of US forces (military and civilian) in a foreign country. While there are no formal requirements concerning form, content, length, or title of a SOFA, a SOFA typically addresses, but is not limited to, criminal and civil jurisdiction, the wearing of uniforms, taxes and fees, carrying of weapons, use of radio frequencies, license requirements, and customs regulations. The USG has concluded SOFAs as short as 1page (e.g. Botswana) and in excess of 200 pages (e.g. Germany). A SOFA may be written for a specific event or provide general, long-term coverage. The DOS negotiates these agreements in cooperation with the DOD.

The US is partner to only one multi-lateral SOFA negotiated with the original North Atlantic Treaty Organization (NATO) partners in 1951. This is formally known as the *Agreement between the Parties to the North Atlantic Treaty Regarding the Status of Their Forces*. The NATO SOFA is responsible for over half (or fifty-eight) of the SOFAs to which the USG is party. The NATO SOFA is supplemented by bilateral agreements between the USG and the host country where required (e.g. the previously mentioned 200 page agreement with Germany).

It is important to remember that a single person can only fall into one of these three categories (Diplomatic, A&T staff, SOFA) at a time. It is not uncommon for different agreements to be in effect simultaneously in any given country. Thus, DOD military and civilian personnel in the same country may, and probably will, enjoy varying degrees of rights and privileges, depending on whether they are serving as a military attaché, a member of a SCO, on a security assistance team, or as part of a deployed operational military force.

## **Criminal Matters under Status of Forces Agreements**

Typically, the USG seeks to have the host nation agree to limit its exercise of jurisdiction over DOD personnel in favor of jurisdiction by the US, to include court-martial of military members. There are various formulations under which the host government and the USG agree to exercise jurisdiction. Under concurrent jurisdiction, which is the formulation found in the NATO SOFA, either the US or the host nation may exercise jurisdiction over US forces for offenses committed against host nation law, depending on the circumstances under which the offense was committed. The US has exclusive jurisdiction if a crime violates only US law. However, if an act is illegal under both nations' laws, it will fall to one country or the other to exercise jurisdiction, depending on the circumstances surrounding the offense. The US always determines whether the member or employee was acting in the course of his or her official duty when the offense took place. Likewise, the US generally has jurisdiction when a crime is committed against another military member or American citizen. Concurrent jurisdiction is a feature of many of our older SOFAs and is no longer the standard.

In most of the agreements the US has concluded since 1990, DOD personnel are accorded a status equivalent to the administrative and technical staff of the US embassy. This does not mean that these individuals are US embassy staff or otherwise accredited to the host nation. Under this formulation, the US has exclusive jurisdiction when personnel are alleged to have committed a criminal offense either on or off duty. If an off-duty act gives rise to a civil claim, the host government has jurisdiction.

## **DOD Security Cooperation Personnel Visiting Foreign Countries**

Personnel based in the continental US who travel overseas on temporary duty are not considered part of the local US embassy's administrative and technical staff and are not afforded immunity under the Vienna Convention. However, they may be protected under a SOFA or similar agreement. As part of the planning process for in-country teams, SCOs should know or verify the jurisdictional status of those personnel. The staff judge advocate (SJA) of the appropriate GCC maintains this information and can determine if an existing agreement covers the proposed teams.

## **ETHICS AND STANDARDS OF CONDUCT**

SCO personnel are expected to maintain the highest standards of ethics in both their professional and personal conduct. This is particularly important when SDO/DATTs, as representatives of the USG, interact with partner nation officials and with marketing agents of US vendors. In all instances, SCO personnel are required to maintain strict standards of integrity and ethics, and avoid even the perception of impropriety. USG employment is a matter of public trust and requires that DOD personnel place loyalty to country, ethical principles, and the law above private gain and other interests (Executive Order 12674, April 12, 1989, as amended).

### **Conflicts of Interest**

Congress has provided a structure of laws that give guidelines as to what constitutes a breach of fiduciary duty by a federal official. Most of these laws have been codified under Title 18 USC, entitled "Crimes and Criminal Procedure." 18 USC § 201(b) (c) defines both bribery and graft and prescribes criminal penalties for each. Bribery is the corrupt giving or offering of anything of value to a public official with the intent to:

- Influence official acts
- Have the official perpetrate fraud or set up the opportunity for fraud
- Have that official do anything contrary to his public duty (18 USC 201)

The reciprocal of bribery is graft - the seeking by a public official of something of value in order to assure that his public acts will conform to those desired by the prospective donor. This is also prohibited by 18 USC 201(c).

In addition to establishing penalties for bribery and graft, Congress has legislated 18 USC 207 which restricts the business activities of former USG employees. Section 207 provides that any former employee of the USG who, after his employment has ceased, acts for another in seeking a determination in regard to a claim or contract in connection with which he personally and substantially participated while a USG official shall be vulnerable to a \$10,000 fine and no more than two years confinement. SCO personnel, who anticipate leaving government service to join the workforce of a US defense vendor, or to officially represent a foreign government, must be aware of these constraints and others. DODD 5500.7-R, *Joint Ethics Regulation* (JER), provides guidance on conflicts of interest, as well as for DOD members seeking outside (i.e., post-retirement) employment and their employment following government service.

### **Gifts and Gratuities**

SCO personnel, along with all other DOD personnel, are subject to the provisions of DODD 5500.7-R, *Joint Ethics Regulation* (JER). In this regard, DOD personnel shall avoid any action, or even the appearance of any action, of:

- Using public office for private gain
- Giving preferential treatment to any person or entity
- Impeding government efficiency or economy
- Losing complete independence or impartiality
- Making a government decision outside official channels
- Affecting adversely the confidence of the public in the integrity of the government

Among other limitations, DOD personnel are prohibited from accepting gratuities from those who have or seek business with DOD, e.g., defense contractors, commonly referred to as a prohibited source in the context of ethics discussions.

Certain USG employees, such as procurement officials (41 USC 423), are subject to additional restrictions. However, by law, so-called “micro-purchasers” (those making purchases of less than \$2,500, not to exceed \$20,000 in a twelve-month period) are not considered procurement officials.

According to DODD 5500.7-R, all DOD employees, regardless of assignment, are prohibited from soliciting or accepting, with limited exceptions, any gift from a prohibited source. A gift is defined in DODD 5500.7-R as any gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. It includes services as well as gifts of training, transportation, local travel, lodging and meals, whether provided in-kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has been incurred. The acceptance of a gift by DOD personnel or their families, no matter how innocently tendered, may prove to be a source of embarrassment to the DOD, may affect the objective judgment of the DOD personnel involved, and may impair public confidence in the integrity of the government.

## Exceptions Involving Gifts and Gratuities

*Title 5 Code of Federal Regulations*, Section 2635 (5 CFR 2635) provides several exceptions to the general prohibition of accepting gifts.

- Government employees, subject to more restrictive standards set by their agency, may accept unsolicited gifts having an aggregate value of no more than \$20 per occasion and subject to a \$50 limitation per donor per calendar year. Gifts of cash, stocks, bonds, or certificates of deposit are not covered by this exception and may not be accepted. This limitation applies to gifts from both contractors and state-owned industry.
- A USG employee may accept a gift based on a personal relationship if it is clear that acceptance of the gift is restricted to a family relationship or personal friendship and not by the official capacity of the employee. Relevant factors include the history of the relationship and who actually paid for the gift.
- Additionally, the definition of gift does not include any of the following items:
  - ◊ Modest items of food and refreshments, such as soft drinks, coffee, and donuts, offered other than as part of a meal
  - ◊ Greeting cards and items with little intrinsic value, such as plaques, certificates, and trophies, which are intended solely for presentation
- Opportunities and benefits available to the general public or to a specific class of government employees, e.g., uniformed military members
- Anything for which fair market value is paid by the employee

## Gifts from Foreign Governments

DODD 1005.13, *Gifts and Decorations from Foreign Governments*, governs the acceptance and retention of gifts from foreign governments. This directive and the individual service regulations that implement it provide guidance for individuals to follow in reporting and determining if gifts can be retained or must be turned over to the appropriate custodian. The primary governing principle is that no DOD employee may request or otherwise encourage the offer of a gift from a foreign government. Whenever possible, individuals should politely refuse gifts of anything larger than minimal or token value (e.g., plaques, photographs, calendars, pens, etc.) Only if the refusal would cause embarrassment to the USG or the presenting government should gifts be accepted by a USG representative. The maximum value of a gift that an employee may retain is \$350.00 (Standards of Conduct Office, Advisory #11-02). Gifts exceeding the maximum value are the property of the USG and should be deposited with the employing DOD component for disposition in accordance with DODD 1005.13. The burden of proof of the gift's value rests with the employee who received the gift.

DOD Directive 5500.7-R permits attendance or participation of DOD personnel in gatherings, including social functions, that are hosted by foreign governments or international organizations when:

- Acceptance of the invitation is approved by the DOD component
- Attendance or participation is for authorized purposes
- The social event involves a routine or customary social exchange with officials of foreign governments in pursuit of official duties
- The event is not in the context of the foreign government's commercial activities, i.e., attempting to make a sale to DOD

## Disposition of Gifts

Should an employee accept a gift that is not allowable under the preceding guidelines, one of the following actions must be taken:

- The employee may request an exception to policy, in writing, to retain the gift.
- The employee may request to purchase the gift, or right of first refusal. Per DOD 1005.13, the request is made to the General Services Administration (GSA) and must be accompanied by a commercial appraisal. If the purchase is approved, the price to be paid is the appraised value and cost of the appraisal.
- The item may be shared with the office. If it is a tangible item, this would entail putting the item on the organization's property control records.
- If none of the above options is pursued, the item must be turned in to the organization's legal office for disposition.

## SECURITY COOPERATION ORGANIZATION TRAVEL AND TRANSPORTATION

### Air Travel

SCO personnel must adhere to the standard DOD requirements for travel and transportation, as found in the *Joint Federal Travel Regulations* (JFTR) for military members and the *Joint Travel Regulations* (JTR) for DOD civilians. This includes the requirement to use economy-class (coach) accommodations for all travel on common air carriers unless an exception for premium-class is authorized by a designated official. Additionally, it includes the requirement to use a contract commercial travel office, normally available in the local US embassy, for all official travel requirements.

Military air transportation is rarely available or convenient for SCO personnel, so most of their travel is conducted via commercial air. However, there may be unusual circumstances involving personal security or cost efficiencies that warrant military air. SCO personnel are expected to be alert to opportunities to use military air where appropriate, both for themselves and their DOD visitors in country. However, this must be balanced with host nation entry/exit requirements. For example, if a visitor arrives via commercial air and plans to depart via opportune military airlift, the SDO/DATT and US embassy must clear the visitor with host nation immigration officials. SCOs in a few countries have DSCA-managed C-12 aircraft that are useful for in-country and regional travel. In other countries, DIA operates C-12 aircraft that may be available for SCO official use. SAMM C11.2 contains policies and procedures for SCO use of C-12 aircraft.

Regardless of the source of funds for official travel, the SCO is expected to be a good steward of USG resources. If official travel is manipulated in order to acquire frequent flyer miles or other promotional items and results in an increased cost to the government, it is a violation of the *Joint Ethics Regulation* and potentially a violation of criminal law as well. If the SDO/DATT cannot resolve a SCO travel issue by reference to the JFTR/JTR, it should refer the matter to the GCC for guidance or resolution.

### Vehicle Transportation

Most SCOs have an authorization for USG motor vehicles to support their official duties. DOD guidance stems from DOD 4500.36-R, *Management, Acquisition, and Use of Motor Vehicles*, which is supplemented by regulations at the GCC or other level. The use of all motor vehicles, including those leased from commercial sources, is restricted to official purposes only. Whether a use is for an official purpose is a matter of administrative discretion by the SDO/DATT. If a question arises about the

scope of the discretion, it should be resolved in favor of strict compliance with DOD policy. Factors to consider include whether the transportation is essential to a DOD function, activity, or operation, and whether the use of the vehicle is consistent with the purposes for which it was acquired.

Both US law and DOD policy prescribe penalties for unauthorized or willful misuse of a government-owned or government-leased vehicle. As with air travel, an issue involving SCO vehicle transportation should be referred to the GCC for resolution.

The rules for the use of employee-leased vehicles (rental cars) are the same as for government motor vehicles. When on official travel, one may use that vehicle only for official purposes. The traveler does not have the option of using the vehicle for both official and unofficial purposes and claiming reimbursement solely for the official use.

### **Domicile to Duty Transportation**

Under long-standing US law, commuting by government employees between their residence and place of duty is treated as a personal obligation and expense. The law currently authorizes only fifteen senior DOD officials by duty position to receive domicile to duty transportation (DTDT). However, 10 USC 2637 allows the SECDEF to delegate to GCCs the authority for approving DTDT for selected personnel (including SCO personnel) stationed overseas in their area of responsibility. This authorization is made by the GCC based on a determination that “public or private transportation in such area is unsafe or unavailable.” Such authorizations must be made in writing and may not exceed one year in duration, although they may be renewed. SDO/DATTs may request DTDT authorization for their SCO from their GCC if they believe local conditions warrant it. DTDT is treated as an employer-provided fringe benefit which is taxable under current law. However, it must be stressed that, where authorized, DTDT exists for the safety and security of DOD personnel, not as a benefit. DOD 4500.36-R, chapter 4, provides DOD-level guidance on DTDT.

### **SUMMARY**

This chapter addressed the primary responsibilities, considerations, challenges, and issues which impact the overseas SCOs in today’s environment. The SCO encompasses all DOD organizations, regardless of actual title or size, located in foreign countries to carry out SC and SA management functions under the FAA, the AECA, and other authorities.

SCOs and the personnel assigned to the SCO have a level of responsibility and breadth of experience seldom seen in other military assignments. SCO functions and responsibilities are driven by legislative, DOD, DSCA, and other administrative/logistics provisions. Some of the major SC/SA responsibilities include FMS case management, training management, end-use monitoring, Rationalization, Standardization & Interoperability (RSI), security cooperation planning and various types of involvement in other SC programs addressed in chapter 1 of this text.

SCOs are typically led by the Senior Defense Official/Defense Attaché (SDO/DATT), a designation officially implemented through DODD 5105.75, *Department of Defense Operations at US Embassies*. SDO/DATTs are normally a member of an Ambassador/Chief of Mission’s (COM) country team. The SCO is under the authority of the COM. Though the COM is the SDO/DATT’s in-country superior, the GCC (typically delegated to the senior Flag/General Officer in Security Cooperation Directorate) is the superior responsible for the SDO/DATT’s military performance evaluation.

The SDO/DATT’s interaction with other members of the embassy country team is vital to ensure the DOD’s interests in a host nation are synchronized with the COM. As a member of a country team, the SCO has a first-hand look at USG inter-agency activities and foreign policy in action. Additionally, the SDO/DATT and/or SCO personnel may have interaction with US defense industry. SCOs are to support US defense industry, but the primary rule of thumb is to remain impartial between various US companies.

The legal status of SDO/DATTs and SCO personnel varies from country to country. In general, most SCO personnel and their sponsored dependents fall into the category of “Administrative and Technical” staff. Persons in this category and their families receive the full criminal immunity afforded diplomatic agents, but are exempt from the country’s administrative and civil jurisdiction only in conjunction with their official duties.

SCO personnel are expected to maintain the highest standards of ethics in both their professional and personal conduct. This is particularly important when they interact with partner nation officials and with marketing agents of US vendors. SCO personnel should be familiar with DODD 5500.7-R, *Joint Ethics Regulation*, as it pertains to conflicts of interest, gifts & gratuities, and must adhere to the standard DOD requirements for travel and transportation, as found in the *Joint Federal Travel Regulations* (JFTR) for military members and the *Joint Travel Regulations* (JTR) for DOD civilians.

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**ATTACHMENT 4-1**  
**LETTER OF INSTRUCTION FROM THE PRESIDENT**  
**APPROVED MAY 26, 2009**

(Selected text placed in bold by DISAM)



**The Honorable (Name)**  
**American Ambassador**

**(City)**

**Dear Mr./Madam Ambassador:**

Thank you for your willingness to serve our country as my personal representative to [country].

Together we have a great task before us. We must renew America's security and standing in the world through a new era of American leadership. The United States will advance its interests through a core pragmatism rooted in America's enduring values. We must rebuild our traditional alliances and pursue new partnerships based on mutual interests and respect, so that together we can confront key common challenges of the 21st century, including weapons of mass destruction, terrorism, poverty, pandemic disease, dependence on fossil fuels and global climate change. America is strongest when we act alongside other nations and peoples. Our security also is enhanced through principled and sustained engagement with those who think differently. As my personal representative, you will be the front line of our efforts.

Our security and prosperity are inextricably linked with those of other countries and people around the world. To strengthen both our national and global economies, we must expand trade as well as financial and scientific cooperation, and we will advance mutual understanding through educational and cultural diplomacy. We must work in concert with others to prevent, resolve, and mitigate conflict, combat transnational threats, strengthen law enforcement cooperation, and promote democratic values and human rights.

I will need your support for our efforts to provide forward-thinking, sustained diplomacy in every part of the world. We will apply pressure where it may be needed, and look for opportunities to advance US interests. As appropriate, you should reach out to other government agencies, nongovernmental organizations, the private sector, international organizations, and our military to leverage your own initiatives. I also urge you to pursue diplomacy and public outreach with 21st century tools and technology.

As Chief of the US Mission, one of your most important jobs will be to take care of our diplomatic personnel and to ensure that they have the tools they need to support your efforts. The Mission should be seen as a welcoming and supportive place for American citizens and American businesses abroad.

I have asked you to represent the United States in [country] because I am confident that you possess the skills, dedication, and experience necessary to meet the many challenges that we face in these extraordinary times.

This letter contains your detailed instructions as my personal representative and the US Chief of Mission. These instructions have been shared with relevant departments and agencies, and I have directed that they give you their full cooperation. I expect you to carry out your mission to the best of your ability and in full conformance with the law and the highest ethical standards. I am counting on your advice and leadership as Chief of Mission to help protect America's interests and to promote America's values.

**As Chief of Mission, you have full responsibility for the direction, coordination, and supervision of all US Executive Branch employees in [country], regardless of their employment categories or location, except those under command of a US area military commander or on the staff of an international organization. With these exceptions, you are in charge of all Executive Branch activities and operations in your Mission.**

You will report to me through the Secretary of State. Under my direction, the Secretary of State is, to the fullest extent provided by the law, responsible for the overall coordination of all United States government activities and operations abroad. The only authorization channel for instruction to you is from the Secretary or me, unless the Secretary or I personally instruct you to use a different channel.

**All Executive Branch agencies under your authority, and every element of your Mission, must keep you fully informed at all times of their current and planned activities. You have the right to see all communications to or from Mission elements, however transmitted, except those specifically exempted by law or Executive decision.**

**You have full responsibility for the direction, coordination, and supervision of all Department of Defense personnel on official duty in [country] except those under the command of a US area military commander. You and the area military commander must keep each other currently and fully informed and cooperate on all matters of mutual interest. Any differences that cannot be resolved in the field will be reported to the Secretary of State and the Secretary of Defense.**

I expect you to take direct and full responsibility for the security of your Mission and all the personnel for whom you are responsible, whether inside or outside the chancery gate. **Unless an interagency agreement provides otherwise, the Secretary of State and you as Chief of Mission must provide for the security of all United States government personnel on official duty abroad other than those under the protection of a US area military commander or on the staff of an international organization and their accompanying dependents. You and the US area military commander should consult and coordinate responses to common threats.**

I ask that you review programs, personnel, and funding levels regularly, and ensure that all agencies attached to your Mission do likewise. Rightsizing the United States government presence abroad is a continuing requirement. To better meet our foreign policy goals, I will be expanding the Foreign Service and strengthening civilian capacity to work alongside the military. At the same time, we need to eliminate unnecessary duplication in our foreign operations. Functions that can be performed effectively and efficiently by personnel based in the United States or at regional offices overseas should not be performed at post. We should make greater use of the expertise of host country citizens, and outsource functions when it is effective and efficient to do so. In your reviews, should you find staffing to be either excessive or inadequate to the performance of priority Mission goals and objectives, I urge you to initiate staffing changes in accordance with established procedures.

Every Executive Branch agency under your authority must obtain your approval before changing the size, composition, or mandate of its staff. If a Department head disagrees with you on staffing matters, that individual may appeal your decision to the Secretary of State. In the event the Secretary is unable to resolve the dispute, the Secretary and the respective Department head will present their differing views to me for decision.

**All United States government personnel other than those under the command of a US area military commander or on the staff of an international organization must obtain country clearance before entering [country] on official business. You may refuse country clearance or may place conditions or restrictions on visiting personnel as you determine necessary.**

I expect you to discharge your responsibilities with professional excellence and in full conformance with the law and the highest standards of ethical conduct. You should ensure that there is equal opportunity at your Mission and no discrimination or harassment of any kind. Remember as you conduct your duties that you are representing not only me, but also the American people and America's values.

Sincerely,

Barack H. Obama

**ATTACHMENT 4-2**  
**SECURITY COOPERATION ORGANIZATION—INDUSTRY RELATIONS**



Office of the Secretary of Defense

Washington, DC, 20301-1000

05 May 1999

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS

CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
ASSISTANT SECRETARIES OF DEFENSE  
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE  
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE  
DIRECTOR, OPERATIONAL TEST AND EVALUATION  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

**SUBJECT:** Department of Defense Policy for Relations with US Industry in Sales of Defense Articles and Services to Foreign Governments

The DOD is committed to greater cooperation with US industry to facilitate sales of US defense articles and services when in support of US national security and foreign policy objectives. DOD is prepared to assist and cooperate with US Industry regardless of the type of sale, e.g., Direct Commercial Sale, Foreign Military Sale, or a combination of the two.

The purpose of this policy is to improve communication and teamwork between DOD and US Industry in the Security Cooperation process. DOD and US Industry participants must establish specific roles and responsibilities by developing DOD and US Industry arrangements. In cases where only one US contractor is involved, the military departments will be the DOD representatives for weapon systems under their cognizance. The Defense Security Cooperation Agency (DSCA) will be the DOD representative when more than one US contractor is competing until down selection is complete. DOD representatives will not favor one US contractor over another in competition process.

The level of cooperation and assistance will be determined on a case-by-case basis. While the mechanism(s) for a DOD/US Industry cooperative effort of this nature are being developed as part of the Security Cooperation reinvention process, certain actions will be common to all situations. We expect industry to advise the DOD of cooperation and assistance it desires for a particular effort. Receipt of that information will prompt: (a) identifying DOD/US Industry principal players, (b) establishing formal lines of communication, (c) defining roles, and (d) developing a joint approach. Conversely, DOD may request support from industry.

Your participation and cooperation are essential to improving the Defense Security Cooperation process.

//SIGNED//  
Jacques S. Gansler  
Under Secretary of Defense  
for Acquisition & Technology

//SIGNED//  
Walter B. Slocombe  
Under Secretary of Defense for  
Policy

## **ATTACHMENT 4-3**

### **CHECKLIST FOR MEETING REPRESENTATIVES OF DEFENSE INDUSTRY**

(See SAMM C2.5.7 for detailed guidelines on interface with industry)

1. Exchange business cards.
2. Inquire about the articles and/or services which the vendor is marketing
3. Ask to see the vendor's export license, or inquire about the status of license approval. Ask what provisos (limitations) are associated with the license.
4. Indicate that, in general, the USG has no preference as to whether a sale is made via FMS or DCS channels (SAMM C4.5.8). Inquire as to whether the vendor has a preference (some vendors have a preference for DCS on file with DSCA; see SAMM C4.5.10).
5. Inquire whether the vendor is marketing similar articles or services to other countries in the region.
6. As appropriate, provide an overview of host nation military picture.
  - a. Organization
  - b. Known requirements and priorities
  - c. US and DOD relations with host nation
  - d. Host nation defense industry
7. As appropriate, review the host nation procurement strategy.
  - a. Key decision-makers within MOD and the services
  - b. Defense budget and expected availability of FMF, if any
  - c. MOD procurement system (preferences for FMS vs. DCS)
  - d. Host nation offset policy, if appropriate
  - e. Foreign competition
8. Inquire if the vendor has an in-country agent.
9. Inquire if the vendor would like marketing assistance from the Department of Commerce through the embassy's commercial attaché or local Foreign Commercial Service (FCS) representative.
10. Inquire if the vendor wants assistance in appointments with host nation officials and/or other US embassy offices.
11. Request a back-brief from the vendor after meetings with host nation.

**ATTACHMENT 4-4**  
**SDO/DATT APPOINTMENT LETTER**



SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000

FEB 3, 2012

Colonel Robert X. Hanseman, USAF  
US Defense Attaché Office Bandaria  
1000 Bandaria Place  
Washington D.C. 20521-1111

Dear Colonel Hanseman:

You hereby are appointed SDO/DATT in the Republic of Bandaria. As SDO/DATT, you are the principal Department of Defense official at the American Embassy in Bandaria and my representative to the Ambassador and the government of Bandaria. You will represent the geographic combatant command, the Defense Intelligence Agency (DIA), and the Defense Security Cooperation Agency (DSCA) to the US embassy country team and the host nation. Congratulations on your selection to serve in this key position.

I charge you with the overall direction and management of the Defense Attaché Office and the Office of Security Cooperation (SCO), and the coordination of US defense issues and activities in Bandaria in accordance with DOD Directive 5105.75 and DOD Instruction 5105.81. I expect you to provide strong and ethical leadership and to set the standard for personal excellence.

You will receive guidance and instructions from DIA on your duties as the Defense Attaché and from the geographic combatant command and DSCA on your duties as Chief, SCO. The Office of the Secretary of Defense will provide additional policy guidance as required. You will communicate regularly with your geographic combatant command, DIA, and DSCA to address the multi-faceted equities of each.

As you prepare for your mission, remember you are representing an important and integral part of the US foreign policy process. I wish you great personal and professional success as you embark on this challenging assignment.

Sincerely  
//SIGNED//  
Leon E. Panetta

Enclosures:

1. Letter of Introduction to US Ambassador
2. Letter of Introduction to Bandarian Minister of Defense
3. CJCS Letter of Introduction to Bandarian Chief of Defense

**ATTACHMENT 4-5**  
**LETTER OF INTRODUCTION TO US AMBASSADOR**



SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000  
FEB 3, 2012

Honorable Jane J. Reynolds  
American Embassy Bandaria  
Department of State  
1000 Bandaria Place  
Washington D.C. 20521-1111

Dear Madam Ambassador:

This letter introduces Colonel Robert X. Hanseman, United States Air Force, whom I appointed as the Senior Defense Official (SDO)/Defense Attaché (DATT) to your Embassy. As the SDO/DATT, Colonel Hanseman is my representative to you and, subject to your authority as Chief of Mission, the diplomatic representative of the Defense Department to the government of Bandaria. I urge you to take full advantage of Colonel Hanseman's expertise and resources as your principal military advisor.

Colonel Hanseman is an exceptionally experienced and qualified officer, in whom I place my full trust and confidence. He commanded United States Air Force organizations in combat and in peace with success and served with distinction as a member of the Air Staff. I commend Colonel Hanseman to you as an officer who will serve the interests of both the Department of Defense and the Department of State.

I urge you to communicate through him any matters affecting our mutual interests that you feel deserve my attention. Of course, you are welcome to communicate with me directly for those matters you feel are appropriate.

Sincerely,  
//SIGNED//  
Leon E. Panetta

**ATTACHMENT 4-6**  
**LETTER OF INTRODUCTION TO BANDARIAN MINISTER OF DEFENSE**



SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000  
FEB 3, 2012

His Excellency Dr. Karl Alfonsas Vanderjager  
Ministre des Achats de la Defence  
Ministere de la Defence du Bandaria,  
Republic of Bandaria

Dear Doctor Vanderjager,

This letter introduces Colonel Robert X. Hanseman, United States Air Force, as the Senior Defense Official and Defense Attaché at the United States Embassy in Bandaria. Colonel Hanseman serves as my personal representative and as the principal representative of the United States Department of Defense. He serves under the authority of our Ambassador.

Colonel Hanseman is an exceptionally experienced and qualified officer, in whom I place my full trust and confidence. He commanded United States Air Force organizations in combat and in peace with success and served with distinction as a member of the Air Staff. I commend Colonel Hanseman to you as an officer who will serve the interests of both of our countries, and I request that you afford him the status and recognition appropriate to his position.

I urge you to communicate through Colonel Hanseman any matters affecting our mutual interests that you feel deserve my attention. Of course, I also welcome you to communicate with me directly for those matters you feel are appropriate.

Sincerely,  
//SIGNED//  
Leon E. Panetta

**ATTACHMENT 4-7**  
**CJCS LETTER OF INTRODUCTION TO BANDARIAN CHIEF OF DEFENSE**



SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000  
FEB 3, 2012

Lieutenant General Sami Anan  
Chief of Defense Staff  
Ministere de la Defence du Bandaria  
Herat, Republic of Bandaria

Dear General Anan,

I am pleased to introduce Colonel Robert X. Hanseman, United States Air Force, to you as the Senior Defense Official and Defense Attaché at the United States Embassy in Herat. He serves under authority of the Ambassador as my personal representative and the principal representative of the United States Department of Defense. As an exceptionally experienced and qualified officer, he has my full trust and confidence.

Colonel Hanseman has successfully commanded United States Air Force organizations in combat and peace. I commend him to you as an officer who will serve the interests of both of our countries, and request that you afford him the status and recognition appropriate to his position.

I urge you to communicate through him any matters affecting our mutual interests that you feel deserve my attention. Of course, you are also me directly when you deem it necessary.

Sincerely,  
//SIGNED//  
MARTIN E. DEMPSEY  
General, US Army

